IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.15111 of 2006
Date of decision: October 10,2006

Amandeep Kaur V. Panjab University, Chandigarh through its Registrar

CORAM: HON'BLE MR.JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S.BHALLA

Present: Shri Kapil Kakkar,Advocate, for the petitioners.
Shri Anupam Gupta, Advocate, for the respondent-University.

Viney Mittal,J.

Petitioner, Amandeep Kaur, has been admitted in B.Ed Course in DAV College of Education, Fazilka (respondent No.3). She has approached this court challenging the action of the Punjab University and its Admission Committee in not offering her the subject combination of Social Studies (History and Political Science) in the aforesaid course, as opted by the petitioner. Consequently, the petitioner has sought direction from this court to the respondent-University and the College to allow her the subject combination opted by her, which according to the petitioner, is available with the College.

The petitioner has claimed that she had graduated with the subjects of History, Political Science and had sought admission in B.Ed. Course by opting for the aforesaid subjects, nomenclatured as Social Studies. According to the petitioner, she was a resident of an area which was classified as 'border area' and had claimed admission in the reserved category of the aforesaid 'border area'. According to the allegations of the petitioner, she had been denied

the subject combination opted by her on the ground that that the aforesaid subject combination was not available for the students who are seeking admission in reserved category of 'boarder area'.

On the aforesaid plea raised by the petitioner, this court had issued notice of motion September 21,2006. Learned counsel appearing for the University had sought time to seek instructions.

Today during the course of arguments, Shri Anupam Gupta ,learned counsel appearing for the respondent-University has produced before us the original record pertaining to the admissions. Photocopy of the enrolment form of the petitioner, as well as one Jasbeer Kaur has also been produced on record. On the basis of the aforesaid record, Shri Gupta, has informed the court that first counselling for B .Ed Course had taken place on August 29,2006. In the aforesaid counselling, the petitioner was offered admission in Siri Satya Sai Institute at Muktsar with subject combination of social studies and Punjabi, as opted by the petitioner. However, since the petitioner who is a resident of Fazilka did not want to pursue her studies at Muktsar, therefore, she gave in writing to the admission/counselling committee that she was not interested. An endorsement made by the petitioner on the back of the enrolment form has been shown to us. Shri Gupta has further informed that a second counselling took place later on , in which the petitioner again participated. One Jasbir Kaur who was higher in merit than the petitioner was offered the subject combination of Social Studies/Punjabi and was admitted in D.A.V. College of Education at Fazilka. As per the availability of seats in the subject combination, the petitioner was also admitted in DAV College of Education, Fazilka with subject combination of Physical Education and English. In these circumstances, Shri Gupta has argued that having declined

the offer of seat at the time of first counselling with the subject combination offered by the petitioner it is not open to the petitioner to raise any grievance at a later stage. In any case, the learned counsel maintains that Jasbir Kaur who had been offered the aforesaid subject combination was higher in merit than the petitioner. Shri Kapil Kakkar, learned counsel appearing for the petitioner has not been able to deny the fact that the petitioner at an earlier point of time at the time i.e. of first counselling had declined the offer of admission in Siri Satya Sai Institute at Muktsar when the subject combination opted by the petitioner was offered.

In view of the aforesaid facts and circumstances of the case, we find no merit in the claim of the petitioner. The present writ petition is accordingly dismissed.

(Viney Mittal)
Judge

October 10,2006 (H.S.Bhalla)
sks Judge